

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP NO. 14623 of 2006

DATE OF DECISION: 14.09.2006

Iqbal Singh

....Petitioner

Versus

State of Punjab and others

....Respondents.

CORAM: HON'BLE MR.JUSTICE J.S. KHEHAR
HON'BLE MR. JUSTICE S.D. ANAND

PRESENT: Mr.Vikramjit Pannu, Advocate for
Mr. Ranjan Lakhanpal, Advocate
for the petitioner.

J.S. Khehar, J.(oral)

Notice of motion.

On our asking, Mr. Ashok Aggarwal, Additional Advocate General, Punjab, accepts notice on behalf of respondents No.1 to 3.

The pleadings of the instant writ petition reveal that the petitioner was arrested on 22.7.2005 on account of the registration of a first information report against him at Police Station, Jagraon. It is also asserted in the writ petition that the petitioner has been in judicial custody since 25.7.2005. Consequent upon his arrest, the petitioner alleges that he was placed under suspension by the respondents with effect from the date of his arrest.

Despite the arrest and suspension of the petitioner, it is submitted that the petitioner is not being paid any subsistence allowance. A representation is also stated to have addressed by the petitioner dated 3.5.2006 (Annexure P1) claiming subsistence allowance, but the same has allegedly not been disposed of till date.

In view of the above, without going into the merits of the claim raised in the instant writ petition, we consider it just and appropriate to dispose of the instant writ petition by directing the respondents to consider the claim of the petitioner for payment of subsistence allowance in terms of the rules and instructions applicable to him. In case the petitioner is found entitled to the same, he shall be released subsistence allowance in terms of his entitlement within one month from the date of receipt of a certified copy of this order.

Disposed of accordingly.

Order dasti, on payment of usual charges.

(J.S. Khehar)
Judge

(S.D. Anand)
Judge

September 14, 2006.
vig